

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SCOTT MYER,	:	Civil No. 1:21-CV-01487
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
TYCO INTERNATIONAL (US), INC.,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 29th day of August, 2023, because the parties in the above-captioned action have notified the court that they have agreed to resolve this case by settlement, **IT IS ORDERED** as follows:

1. All deadlines in this action are **STAYED**;
2. The Clerk of Court is ordered to mark this matter **CLOSED** for administrative purposes only;
3. The parties shall file an appropriate stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a),¹ which specifies whether the dismissal will be with or without prejudice;

¹ Rule 41 contemplates three methods of dismissal. Before an answer or summary judgment motion has been filed, an action can be dismissed by a notice of dismissal signed by the plaintiff alone. *See* Fed. R. Civ. P. 41(a)(1)(A)(i). After an answer or motion for summary judgment has been filed, the parties can dismiss a case by filing a stipulation of dismissal signed by all parties who have appeared. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii). Either of these filings operates to close the case and end the court's jurisdiction without further court action. For any dismissal that is conditional or otherwise requires court approval, including, for example, a request that the court retain jurisdiction for a specific period of time for enforcement of the settlement, the plaintiff

4. Either party may file a notice to reinstate this action if the settlement is not consummated within sixty days of this order, provided that such notice is filed no later than **October 30, 2023**; and

5. If the parties fail to timely file a stipulation of dismissal or notice to reinstate this action within the sixty days, this order shall operate as a voluntary dismissal with prejudice, based on the parties' aforementioned notice of settlement. *See Papera v. Pa. Quarried Bluestone Co.*, 948 F.3d 607, 610–12 (3d Cir. 2020).

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Judge
Middle District of Pennsylvania

shall submit a motion to dismiss setting forth the requested terms for dismissal, accompanied by a proposed order. *See* Fed. R. Civ. P. 41(a)(2).